

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Case No.: 3:21-cv-00418-ART-CSD

JEREMY R. POWELL,

Plaintiff

V.

CITY OF ELKO, et al.,

## Defendants

## Order

Re: ECF No. 169

Plaintiff has filed a motion for an extension of time to file his response to Defendants' motions for summary judgment. (ECF No. 169.)

There are three pending motions for summary judgment in this case:

- (1) The motion for summary judgment of defendants Ortiz and Pepper (ECF No. 153);
- (2) The motion for summary judgment of defendants Adkins and Hood (ECF No. 155); and
- (3) The motion for summary judgment of defendants Contreras and Rosina (ECF No. 158).

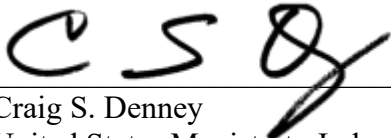
Since Plaintiff has since filed his response to the motion of Ortiz and Pepper (ECF No. 171) and the motion of Contreras and Rosina (ECF No. 172), the court will construe Plaintiff's motion as requesting an extension of time to file his response to the motion of Hood and Adkins (ECF No. 155). Hood and Adkins have filed a response. (ECF No. 173.)

The court understands the position of Hood and Adkins. However, given Plaintiff's pro se status and the policy of resolving cases on their merits, the court will allow Plaintiff one final extension of time to oppose the motion for summary judgment filed by Hood and Adkins. That being said, Plaintiff's motion (ECF No. 169), is **GRANTED IN PART** insofar as Plaintiff will have until **October 27, 2023**, to file and serve his response to the motion for summary judgment

1 filed by Hood and Adkins (ECF No. 155). Hood and Adkins have until **November 13, 2023**, to  
2 file their reply. **THERE WILL BE NO FURTHER EXTENSIONS OF THIS DEADLINE.**  
3 Moreover, Plaintiff is advised that discovery has long since closed and will not be reopened. To  
4 the extent Plaintiff's motion can be interpreted as asserting a request under Federal Rule of Civil  
5 Procedure 56(d), that request is denied as Plaintiff did not provide an affidavit or declaration  
6 setting forth the specific facts he hopes to elicit from the discovery and how they are essential to  
7 oppose this motion. *See* Fed. R. Civ. P. 56(d); *Stevens v. Corelogic*, 899 F.3d 666, 678 (9th Cir.  
8 2018) (citations omitted).

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10 **IT IS SO ORDERED.**

11 Dated: October 12, 2023

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15 Craig S. Denney  
16 United States Magistrate Judge  
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